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In re Patent Application of:
ROY ET AL.
Serial No. 10/777,577
Filed: **FEBRUARY 12, 2004**

REMARKS

Applicants thank the Examiner for the careful and thorough examination of the present application, and thank the Examiner and Supervisory Patent Examiner Gaffin for extending all courtesies during a telephonic interview of July 31, 2007.

During the telephonic interview, Applicants presented several arguments detailed below. Applicants have amended dependent Claim 9 to correct an informality. Applicants submit that all claims are patentable and present arguments below supporting such patentability.

I. The Claimed Invention

Independent Claim 1, for example, is directed to a communications system. The communication system comprises a plurality of electronic mail (email) data storage devices each using at least one of a plurality of different operating protocols, a plurality of mobile wireless communications devices for accessing the email data storage devices and each using at least one of the plurality of different operating protocols, and a protocol interface device. The protocol interface device includes a front-end proxy module for communicating with the plurality of mobile wireless communications devices using respective operating protocols, and a protocol engine module for communicating with the plurality of email data storage devices using respective operating protocols. The front-end proxy module and the protocol engine module communicate using a common

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interface protocol able to represent a desired number of protocol-supported elements for a desired operating protocol and cooperate to aggregate email messages from the email data storage devices to respective mobile wireless communications devices.

Independent Claims 13 and 17 are directed to sub-combination protocol interface devices. Independent Claim 21 is a method counterpart to Claim 13. Independent Claim 25 is directed to a computer-readable medium having computer-executable modules similar to Claim 13.

II. The Claims Are Patentable

The Examiner rejected independent Claims 1, 13, 17, 21, and 25 over Kirani et al. in view of Gresham et al. Kirani et al. discloses an email system comprising a media storage, a multimedia extractor, a sender device, and a recipient device. (Figure 3). The multimedia extractor is implemented within a Simple Mail Transfer Protocol (SMTP) mail server. (Paragraphs 64-65, 80, and 93). Upon sending of an email from the sender device, the email is routed to a "standard SMTP mail server, which filters mail with the multimedia extractor." (Paragraph 93).

Depending on the multimedia capabilities of the recipient device, the system strips the multimedia content from the email, stores the removed content in the media storage, and inserts a Uniform Resource Locator (URL) link in the modified email directing the user to the full media content in the media

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storage. (Paragraphs 94-95). The system may also reformat the multimedia content within the email and substitute a modified version into the email before routing it for final delivery to the recipient device. (Paragraph 68). The capabilities of the recipient device are stored within the system, inputted in the system by the user through the web, stored within the email from the sender device, or automatically determined by the system. (Paragraph 65).

The Examiner correctly notes that Kirani et al. fails to disclose a front-end proxy module for communicating with the plurality of mobile wireless communications devices using respective operating protocols, as in the independent claims, and looks to Gresham et al. to supply this deficiency. Gresham et al. discloses a wireless network for airliners comprising a proxy server for connecting to wireless devices within the cabin of the airliner, for example, a laptop computer. The proxy server of Gresham et al. emulates the response of ground based electronic messaging systems with respect to individual wireless devices. (Paragraphs 13-14). The Examiner's stated motivation to combine is to transfer and display multimedia data on various types of devices, particularly, those with wireless connectivity, citing Kirani et al. (Paragraph 4).

Applicants submit that the proposed combination does not teach every feature of the claimed invention. More specifically, Kirani et al. fails to disclose a plurality of email data storage devices each using at least one of a plurality

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of different operating protocols. The Examiner cited the SMTP server of Kirani et al. as disclosing this claimed feature. By definition, the cited SMTP server operates on one protocol only and not a plurality of operating protocols. Indeed, the system of Kirani et al., as implemented on the SMTP server, reformats the multimedia content of each email to match the respective multimedia capabilities of the recipient device, but the SMTP server still communicates with each device using standardized communication protocol, i.e. SMTP. Therefore, for this reason alone, independent Claims 1, 13, 17, 21, and 25 are patentable over the prior art.

Applicants submit that the Examiner's proposed combination is improper because the cited prior art teaches away from the selective combination of Kirani et al. and Gresham et al. More specifically, the system of Kirani et al. already communicates with different device types by reformatting the multimedia content of emails being routed through the SMTP server based upon the multimedia capabilities of the individual device. Therefore, the insertion of the front-end proxy module based upon the stated motivation is wasteful and unnecessary. Moreover, the system of Kirani et al. is implemented on a SMTP server. Therefore, the sender device communicates with the system of Kirani et al. using the SMTP and not a respective protocol. Indeed, the insertion of the front-end proxy module of Gresham et al. will require exchanging the SMTP server, which is incompatible with such a functionality. Because of this, a

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person of ordinary skill in the art would be taught away from the substantial modification of adding a front-end proxy module for communicating with the plurality of mobile wireless communications devices using respective operating protocols, as in the claimed invention.


Accordingly, for the reasons discussed above, it is submitted that independent Claims 1, 13, 17, 21, and 25 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

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CONCLUSIONS

In view of the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



JACK G. ABID
Reg. No. 58,237
Allen, Dyer, Doppelt, Milbrath
& Gilchrist, P.A.
255 S. Orange Avenue, Suite 1401
Post Office Box 3791
Orlando, Florida 32802
407-841-2330
407-841-2343 fax
Attorney for Applicants

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 10th day of August, 2007.

